

1 KAMALA D. HARRIS
Attorney General of California
2 KAREN B. CHAPPELLE
Supervising Deputy Attorney General
3 RANDY M. MAILMAN
Deputy Attorney General
4 State Bar No. 246134
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 897-2442
6 Facsimile: (213) 897-2804
Attorneys for Complainant
7

8 **BEFORE THE**
BOARD OF REGISTERED NURSING
9 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

10 In the Matter of the Accusation Against:

Case No. *2012-180*

11 **CHRISTINE HEATHER JONES**
12 **3567 L Ogea Road**
13 **Lake Charles, LA 70605**

A C C U S A T I O N

14 **Registered Nurse License No. 668436**

15 Respondent.

16
17 Complainant alleges:

18 **PARTIES**

19 1. Louise R. Bailey, M.Ed., RN ("Complainant") brings this Accusation solely in her
20 official capacity as the Executive Officer of the Board of Registered Nursing, Department of
21 Consumer Affairs.

22 2. On or about October 28, 2005, the Board of Registered Nursing issued Registered
23 Nurse License Number 668436 to Christine Heather Jones ("Respondent"). The Registered
24 Nurse License expired on October 31, 2007, and has not been renewed.

25 **JURISDICTION**

26 3. This Accusation is brought before the Board of Registered Nursing ("Board"),
27 Department of Consumer Affairs, under the authority of the following laws. All section
28 references are to the Business and Professions Code ("Code") unless otherwise indicated.

4. Section 2750 of the Code provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with Code section 2750) of the Nursing Practice Act.

STATUTORY PROVISIONS

5. Section 118, subdivision (b) of the Code provides, in pertinent part:

“(b) The suspension, expiration, or forfeiture by operation of law of a license issued by a board in the department, or its suspension, forfeiture, or cancellation by order of the board or by order of a court of law, or its surrender without the written consent of the board, shall not, during any period in which it may be renewed, restored, reissued, or reinstated, deprive the board of its authority to institute or continue a disciplinary proceeding against the licensee upon any ground provided by law or to enter an order suspending or revoking the license or otherwise taking disciplinary action against the licensee on any such ground.”

6. Section 2764 of the Code provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license.

7. Section 2761 of the Code provides, in pertinent part:

"The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

(a) Unprofessional conduct, which includes, but is not limited to, the following:

• • •

(4) Denial of licensure, revocation, suspension, restriction, or any other disciplinary action against a health care professional license or certificate by another state or territory of the United States, by any other government agency, or by another California health care professional licensing board. A certified copy of the decision or judgment shall be conclusive evidence of that action ...”

8. Section 2811, subdivision (b) of the Code provides:

“Each such license not renewed in accordance with this section shall expire but may within a period of eight years thereafter be reinstated upon payment of the biennial renewal fee and penalty fee required by this chapter and upon submission of such proof of the applicant's qualifications as may be required by the board, except that during such eight-year period no examination shall be required as a condition for the reinstatement of any such expired license which has lapsed solely by reason of nonpayment of the renewal fee. After the expiration of such eight-year period the board may require as a condition of reinstatement that the applicant

1 pass such examination as it deems necessary to determine his present fitness to
2 resume the practice of professional nursing.”

3 **COST RECOVERY**

4 9. Section 125.3 of the Code provides, in pertinent part, that the Board may request the
5 administrative law judge to direct a licensee found to have committed a violation or violations of
6 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
7 enforcement of the case.

8 **FIRST CAUSE FOR DISCIPLINE**

9 **(Disciplinary Action by the Louisiana State Board of Nursing)**

10 10. Respondent is subject to disciplinary action under Code section 2761, subdivision
11 (a)(4), on the grounds of unprofessional conduct in that Respondent's registered nurse license was
12 disciplined by the Louisiana State Board of Nursing ("Louisiana Board") as follows:

13 11. On or about June 10, 2009, pursuant to the Consent Order issued by the Louisiana
14 Board, in the disciplinary action entitled *In the Matter of: Christine Heather Jones, 25896 South*
15 *Satsuma Road, Livingston, LA 70754*, the Louisiana Board suspended Respondent's registered
16 nurse license until such time as Respondent satisfies the reinstatement requirements, including,
17 submitting to an in-patient psychiatric, psychological, and substance abuse evaluation. The basis
18 for the Consent Order is as follows:

19 a. On or about October 1, 2006, while employed as a registered nurse at
20 Regency Place Nursing and Rehabilitation Center, Respondent displayed aggressive,
21 inappropriate behavior and language, and was subsequently terminated.

22 b. On or about May 10, 2008, while employed as a registered nurse at
23 Ochsner Medical Center in Baton Rouge, Louisiana, Respondent tested positive for opiates.

24 c. On May 22, 2008, Respondent displayed behavior consistent with
25 impairment as evidenced by slurred speech, having difficulty keeping eyes open, dozing off in
26 mid-conversation, exhibiting droopy eyes and dilated pupils, nodding off while standing, and
27 leaning and swaying while standing.

28 d. On May 22, 2008, for patient # 1(OS), who had orders for Demoral 25 mg

1 IV every 6 hours PRN pain and Phenergan 12.5 mg IV every 6 hours PRN, Respondent failed to
2 administer, document waste, or account for the medication after being asked to administer the
3 medication for a co-worker and being given the medication.

4 e. On May 22, 2008, for patient #2 (LH), who had orders for Dilaudid 2mg
5 every 3 hours PRN pain and Phenergan 12.5mg IV every 4 hours PRN NV, Respondent failed to
6 administer document waste, or account for the medication after being asked to administer the
7 medication for a co-worker and being given the medication.

8 f. On May 22, 2008, Respondent refused to submit to a drug screen and
9 immediately resigned from her position at Ochsner.

10 **SECOND CAUSE FOR DISCIPLINE**

11 **(Unprofessional Conduct)**

12 12. Respondent is subject to disciplinary action under Code section 2761, subdivision
13 (a), in that Respondent committed acts of unprofessional conduct. The conduct is more
14 particularly described in paragraph 11, subparagraphs (a) through (f), inclusive, above, and herein
15 incorporated by reference.

16 ///

17 ///

18 ///

19 ///

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

1. Revoking or suspending Registered Nurse License Number 668436, issued to Christine Heather Jones;

2. Ordering Christine Heather Jones to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3;

3. Taking such other and further action as deemed necessary and proper.

DATED:

September 29, 2011

Louise R. Bailey
LOUISE R. BAILEY, M.ED., RN
Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

LA2011601441
60682706.doc